

**DECISION**

*W. J. Thompson*  
*P. J. T.*

**THE COMPTROLLER GENERAL  
OF THE UNITED STATES**  
WASHINGTON, D. C. 20548

118690

FILE: B-206562.2

DATE: June 15, 1982

MATTER OF: Medical Devices of Fall River, Inc.

**DIGEST:**

Protester, suspended from contracting with Government, is not "interested party" under our Bid Protest Procedures, since suspension renders protester ineligible for award. We dismiss the protest.

Medical Devices of Fall River, Inc., protests the award of a contract for surgical instruments to any other bidder under invitation for bids No. DLA120-82-B-0538, issued by the Defense Personnel Support Center.

Medical Devices of Fall River, Inc., has been suspended from contracting with the General Services Administration. Section 914 of the 1982 Department of Defense Authorization Act, Pub. L. 97-86, 95 Stat. 1099, December 1, 1981, generally prohibits Department of Defense contracting officers from contracting with firms that have been suspended by another Government agency, if the contracting officer is aware of the suspension. We have been advised that the Defense Personnel Support Center is aware of the suspension and will not make an award to Medical Devices of Fall River, Inc. Since a suspended bidder is not eligible for award of a contract, it is not an "interested party" under section 21.1(a) of our Bid Protest Procedures, 4 C.F.R. § 21.1(a) (1981). Computer Sciences Corporation, B-200755, March 6, 1981, 81-1 CPD 181.

We dismiss the protest.

*Harry R. Van Cleve*  
Harry R. Van Cleve  
Acting General Counsel